

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

LEVERTIA KIRKSEY

17-11452-JDW

RESPONSE TO MOTION TO SUSPEND CHAPTER 13 PAYMENTS

COMES NOW Locke D. Barkley, Chapter 13 Trustee, by and through counsel, and files this response to the Debtor's Motion to Suspend Chapter 13 Payments (Dkt. #82) (the "Motion") and in support states as follows:

1. The Debtor initiated this proceeding with the filing of a voluntary petition for relief on April 20, 2017. The Chapter 13 plan was confirmed by order (Dkt. #61) on September 19, 2017, for a term of 36 months. There are fourteen (14) months remaining in the plan term as calculated from the date of first payment.
2. The Motion provides no description or explanation of the financial difficulty the Debtor is experiencing.
3. The Debtor is currently delinquent in payments to the Trustee in the amount of \$1,135.33, which is more than two months of payments. If the suspension is granted the Debtor will be more than \$2,700.00 delinquent in payments with only eleven (11) months remaining. To cure the delinquency over the remaining plan term, the plan payment would increase from \$122.50 per week (or \$530.83 per month) to approximately \$190.00 per week (or \$824.00 per month).
4. If the suspension is granted, the plan payment will no longer be feasible.
5. The Trustee requests that the Motion be denied.

WHEREFORE, PREMISES CONSIDERED, Locke D. Barkley, Chapter 13 Trustee, prays that upon notice and hearing that this Court enter its order denying the Debtor's Motion and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: May 6, 2019

Respectfully submitted,
LOCKE D. BARKLEY, TRUSTEE

BY: /s/ W. Jeffrey Collier
W. JEFFREY COLLIER, ESQ.
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CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: May 6, 2019

/s/ W. Jeffrey Collier
W. JEFFREY COLLIER